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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91181380
Party	Defendant MIMULANI AG
Correspondence Address	MARK LEBOW YOUNG & THOMPSON 209 MADISON STREET, SUITE 500 ALEXANDRIA, VA 22314 UNITED STATES embon@young-thompson.com
Submission	Request to Withdraw as Attorney
Filer's Name	Mark Lebow
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Signature	/ml/
Date	02/03/2010
Attachments	2010-02-03 M2Withdraw.pdf (3 pages)(10387 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

E. & J. GALLO WINERY,

Opposer,

v.

MIMULANI AG,

Applicant.

Opposition No. 91181380

Opposition No. 91181381

Opposition No. 91181383

Opposition No. 91181384

Opposition No. 91181385

Opposition No. 91181386

Opposition No. 91181388

(Consolidated)

MOTION TO WITHDRAW AS REPRESENTATIVE UNDER 37 CFR § 10.40

The undersigned counsel, and all other appointed representatives of the firm Young & Thompson, hereby moves the Board for permissive withdrawal from representation of Applicant in the above-referenced consolidated proceeding.

Grounds for Withdrawal

Counsel moves to withdraw based on the following grounds: Opposer has knowingly and freely assented to termination of the undersigned counsel's and his firm's employment in this matter.

Notification to Opposer

Counsel notified Applicant of its intention to withdraw from representation and Applicant in August 2009 and Applicant agreed to termination of this representation. In the interim, due to a discovery dispute that arose following Opposer's attempt to reopen the discovery period, counsel did not withdraw immediately so as not to prejudice Applicant and, instead, waited until the particular discovery issue was resolved. The discovery dispute over the reopening of discovery has now been decided by the Board and counsel therefore moves to

withdraw. It is requested that the matter be suspended pending a determination by Applicant as to whether it will represent itself in this matter or seek to hire other counsel.

Papers and Property Relating to the Proceeding

Electronic copies of all papers relating to the proceeding and to which Applicant is entitled have been provided on an ongoing basis to Applicant's local agent, who withdrew from representation on or about July 2008, or to Applicant directly, no outstanding papers or property have been withheld.

Return of Fees for Advanced Payment

There are no advanced payment fees to be returned.

Proof of Service

This Motion to Withdraw is being served on Opposer and Applicant in this proceeding as noted in the certificate of service shown below.

WHEREFORE, the undersigned respectfully requests that this motion be granted.

Respectfully submitted,

/Mark Lebow/
Mark Lebow
Attorney for Applicant
Young & Thompson
209 Madison Street, Suite 500
Alexandria, Virginia 22314
Tel: (703) 521-2297

February 3, 2010

CERTIFICATE OF SERVICE

I hereby certify the within motion has been sent to Opposer, Seth I. Appel, Esq., Harvey Siskind LLP, Four Embarcadero Center, 39th Floor, San Francisco, CA 94111 and Applicant, Mimulani AG, by airmail, Bahnhofstresse 7, ZUG CH-6301, Switzerland, and by email (albu@galliss.com, info@vinella.ru, info@galliss.com and serpkova@yahoo.com) this 3rd day of February 2010.

/Yuka Kobayashi/
Yuka Kobayashi